

Crystal-Lenene: Lewis
c/o 731 Irvington Place
Chester, Pennsylvania [19013]
610-742-6128

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FILED

JUN 29 2018

CRYSTAL LENENE LEWIS, Sui Juris

PLAINTIFF

) **CIVIL ACTION**

) **No: 18-1457**

) **Re:**

KATE BARKMAN, Clerk
By JL **Dep. Clerk**

U.S. BANK/HOME EQUITY TRUST 2004-7

OCWEN LOAN SERVICING, LLC

UDREN LAW OFFICES

MERS & MERSCORP

STERN & EISENBERG, PC

OTHER DEFENDANTS' NAMES

AND JOHN DOES (Investors) 1-10K,

U.S. BANK, N.A./AFFILIATES

) **PLAINTIFF'S RESPONSE TO**
) **DEFENDANT'S MOTION TO DISMISS THE**
) **COMPLAINT FOR FAILURE TO STATE**
) **CLAIM PURSUANT TO FEDERAL RULES OF**
) **CIVIL PROCEDURE (Doc #5)**
) **12 (b) (1) and 12 (b) (6)**

DEFENDANT(s)

) **Judge: Hon. GENE E.K. PRATTER**

PLAINTIFF'S RESPONSE


**TO DEFENDANT'S MOTION TO DISMISS THE COMPLAINT PURSUANT TO FEDERAL
RULES OF CIVIL PROCEDURE 12 (b) (1) and 12 (b) (6)**

Crystal-Lenene: Lewis, Sui Juris, Plaintiff is before this court
by Special Appearance and Special Deposit without waiving any Equitable
or Legal Rights, Remedies or Defenses Statutory or Procedural as the
Donor-Grantor Beneficiary of the Deed of Trust that has been Fraudulent
and Wrongfully Foreclosed upon, doing business as CRYSTAL LENENE LEWIS
and alleges that there is no Plain, Speedy or Adequate Remedy at law
and that these proceedings could irreparable damage rights to tile,
land property and interest on a Private Trust established by Special
Deposit before the courts.

1 The Plaintiff's Complaint not only meets but exceeds the standards
2 governing the form of a complaint contemplated by Federal Rule of Civil
3 Procedure 8(a), this Court has subject matter jurisdiction in this
4 matter, and the Complaint sufficiently alleges consumer harm and
damages. Accordingly, Defendants' motion should be DENIED.

5 Dated: June 24, 2018

6
7 Respectfully Submitted by Special Deposit;

8
9 /s/ 
10 Crystal-Lenene: Lewis, Sui Juris
11 c/o 731 Irvington Place
Chester, Pennsylvania [19013]
610-742-6128

12 All Rights Reserved
13

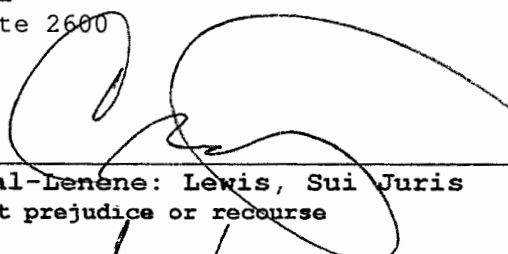
14 FILED

15 JUN 29 2018

PROOF OF SERVICE OF DOCUMENT

16
17 I, CRYSTAL-LENELE LEWIS, Plaintiff, certify that a copy of the MOTION
18 for PLAINTIFF'S RESPONSE TO DEFENDANT'S "MOTION TO DISMISS THE
19 COMPLAINT PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 12(b)(1) and
20 12(b)(6)" was mailed by regular USPS mail on June 25, 2018 to Attorneys
for Defendants:

21 STRADLEY RONON STEVENS & YOUNG, LLP
22 ATTN: L. JOHN VASSALOTTI
200E Market Street, Suite 2600
Philadelphia, PA 19103

23 /s/ 
24 Crystal-Lenene: Lewis, Sui Juris
without prejudice or recourse

25 Date: 6/24/18
26
27

28 Equity will take jurisdiction to avoid a multiplicity of suits;
Equity will not allow a statute to be used as a cloak for fraud

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

I. (a) PLAINTIFFS

CRYSTAL LENENE LEWIS

(b) County of Residence of First Listed Plaintiff **DELAWARE**
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Crystal-Lenene: Lewis, Sui Juris
c/o 731 Irvington Place, Chester, Pennsylvania [19013]
610-742-6128

DEFENDANTS

U.S. BANK N.A. and AFFILIATES

County of Residence of First Listed Defendant **DELAWARE**
(IN U.S. PLAINTIFF CASES ONLY)

NOTE IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

Attorneys (If Known)

STRADLEY RONON STEVENS & YOUNG, LLP
Attn: L. John Vassaotti, III
2005 Market Steet, Suite 2600; Phila, PA 19103

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for Nature of Suit Code Descriptions

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer w/Disabilities - Employment <input type="checkbox"/> 446 Amer w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)
FRCP 6(b) & FRCP 5

Brief description of cause:

Plaintiff request for Extension of Time to File Response to Defendants "Notice of Removal & Motion to Dismiss"

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
100,000,000

CHECK YES only if demanded in complaint.

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG JUDGE